

FARMINGTON CITY COUNCIL MEETING

Wednesday, September 16, 2009

CITY COUNCIL WORK SESSION/EAST CONFERENCE ROOM

PRESENT: Mayor Scott Harbertson, Council Members Paula Alder, Richard Dutson, David Hale, Cory Ritz, Sid Young, City Manager Max Forbush, Assistant City Planner Glenn Symes, and Recording Secretary Cynthia DeCoursey

The Groundbreaking Ceremony for the new Farmington City Hall Building was held at 5:30 p.m. The City Council moved to the existing City Hall for their work session at 6:10 p.m. and reviewed the following agenda items:

(Agenda Item #10) - Review of Street Dedication Plat "Station Parkway North"

The Council and City Manager **Max Forbush** discussed issues pertaining to this item, and it will be further reviewed at the Special City Council meeting which will be held at 8:00 a.m. on Tuesday, September 22, 2009.

(Agenda Item #14) - Selection of Playground Equipment for Farmington Ranches Neighborhood Park

Mayor Harbertson said the National Playground Equipment convention will be held in Salt Lake City this year, and many of the companies are offering reduced prices on their products. The budget for playground equipment for Farmington Ranches Park is \$60,000, and the City will be able to purchase it for a significantly lower price. The Council reviewed the various options for playground equipment. The **Mayor** said **Neil Miller** would share more details in the regular session.

(Agenda Item #7) - Review of Curbside Recycling Opt-out Letter from Lori Peterson

The City received another letter from a resident requesting permission to opt out of the curbside recycling program. **Mayor Harbertson** suggested that staff keep a list of all the requests, and the Council would review all of them at the end of the year.

REGULAR CITY COUNCIL/CITYCHAMBERS/CALL TO ORDER

PRESENT: Mayor Scott Harbertson, Council Members Paula Alder, Richard Dutson, David Hale, Cory Ritz, Sid Young, City Manager Max Forbush, Assistant City Planner Glenn Symes, City Recorder Margy Lomax and Recording Secretary Cynthia DeCoursey

Mayor Harbertson opened the meeting at 7:00 p.m. and welcomed those in attendance. Council member **Paula Alder** offered the invocation, and the Pledge of Allegiance was led by Council Member **Cory Ritz**. The **Mayor** also welcomed **Megan Reeder** of the Farmington Youth Council, and **Anita Todd**, candidate for the City Council. The **Mayor** referred to the groundbreaking ceremony held earlier and said the new City Hall should be complete by July 2010.

APPROVAL OF MINUTES OF PREVIOUS MEETING (Agenda Item #2)**Motion**

Rick Dutson made a motion to approve the minutes of the regular City Council meeting held September 1, 2009. **David Hale** seconded the motion, and it was approved by Council Members **Alder**, and **Ritz** and **Young**.

INTRODUCTION OF MISS FARMINGTON – CIERA PEKARCIK (Agenda Item #3)

Mayor Harbertson introduced **Ciera Pekarciik**, Miss Farmington, and welcomed her and pageant director, **Stephanie Gallager**, who dedicates many hours to assist Miss Farmington. **Ms. Pekarciik** presented her platform for the coming year, “The new face of stranger danger.” She pointed out that the dangers young people face now are very different from those in the past. She has raised \$200.00 for the Children’s Miracle Network and plans to continue helping with that cause. On October 30, 2009 she will host Halloween Eve beginning at 6:00 p.m. at Arts Center. During December she plans to raise funds and provide Christmas for a needy family. In February 2010 she is planning to host a “Farmington City has Talent” program which will raise money for the Children’s Justice Center.

Paul White, the City Emergency Preparedness Coordinator, distributed a letter for review by the Council. He said Davis County officials have requested volunteers to assist during a pandemic flu situation, and he asked that the proposed letter be signed by the **Mayor** and sent to the Farmington area stake presidents to recruit 50-55 people from each stake (5 from each ward) to attend a 1-hour training on October 22, 2009. He said this approach has been very successful in both Centerville and Syracuse. He also reminded the Council of the Public Emergency Officials Conference the end of October and encouraged them to attend.

Motion

Cory Ritz made a motion to authorize the **Mayor** to sign the letter. **Rick Dutson** seconded the motion, and it was approved by Council Members **Alder**, **Hale**, and **Young**.

PLANNING COMMISSION REPORT (Agenda Item #4)

Jim Young, Vice Chairman of the Planning Commission, reported on the meeting held September 10, 2009:

1. The PUD master plan for The Grove (Palmer Estates) was on the agenda; however, staff and the Commission agreed to allow additional time for the developer and the City Attorney to work out some potential legal issues.
2. The Commission recommended that the City Council approve the “Road to the North” with some minor engineering changes.
3. The Commission approved a minor change to the Rice Farms Estates PUD.
4. **Brad Pack** requested a minor subdivision change of the Farmington Bay Business Park (south and west of Legacy) which was approved.
5. Farmington Ranches HOA requested a conditional use permit for landscaping on 3, 6, 7, 8, and Ranches East, and it was approved.

6. The City's Urban Forestry Ordinance was reviewed, and the Commission approved the Ordinance. **Mr. Young** emphasized the importance of preserving, protecting and maintaining Farmington City's trees.
7. **Steve Andersen** was appointed to SPARC to replace **Geoff Butler** who moved out of State.

**REQUEST TO SUBLEASE RED BRICK HOUSE ON NORTH MAIN STREET
ADJACENT TO CHERRY HILL - (Agenda Item #5)**

Mayor Harbertson said UDOT owns this house, and it was leased to Farmington City several years ago. The house has not been leased for approximately a year. After a brief discussion, the Council authorized City Manager **Max Forbush** to research the length of the lease agreement and provide an estimate of the cost to improve the house and to see if it would be feasible to it.

REVIEW OF CURBSIDE RECYCLING RECOMMENDATIONS - (Agenda Item #6)

1. Authorize the ordering of 3,925 containers. (After a brief discussion, it was determined that the City should purchase some extra containers).

Motion

Rick Dutson made a motion to authorize the City to order 3,950 curbside recycling containers. **Sid Young** seconded the motion, and it was approved by Council Members **Alder, Hale, and Ritz**.

2. Establish the price for curbside recycling at \$3.85/month per residential customer.

Motion

Sid Young made a motion that the City establish the price for curbside recycling at \$3.85/month per residential customer. **Cory Ritz** seconded the motion, and it was approved by Council Members **Alder, Dutson, and Hale**.

3. Approve the design and wording for imprints and labeling on the containers. The **Mayor** reviewed the following proposal:

It will be a blue container with "Farmington City" and "Recyclables Only" printed on the lid.

"Acceptable recyclables" and "Contact Farmington City for updates" will be printed on the container since the list of acceptable items changes frequently.

"No trash" and "No yard waste" will be printed on the can along with the inventory control number on the front.

It was suggested that the slogan used by the Utah League of Cities and Towns, "Making Life Better", be printed on the side of the container.

Mr. Forbush said the units in Farmington Crossing have smaller garages, and they have requested smaller containers. He has contacted the HOA, and they will let him know

which size they would like to order. He said the target date for the recycling service to begin is in December 2009.

Motion

David Hale made a motion that the City Council approve the design and wording for imprints and labeling on the containers and to add the slogan, "Making Life Better", on the side of the container. **Cory Ritz** seconded the motion, and it was approved by Council Members **Alder, Dutson, and Young**.

REVIEW OF CURBSIDE RECYCLING OPT-OUT LETTER FROM LORI PETERSON - (Agenda Item #7)

Mayor Harbertson said the City has received several more letters regarding the opt-out option, and he suggested reviewing all of them at the end of the year.

Motion

David Hale made a motion that the City Council table these requests and make a decision at the end of the year. **Sid Young** seconded the motion, and it was approved by Council Members **Alder, Dutson, and Ritz**.

REQUEST FOR MINOR SUBDIVISION APPROVAL AMENDING FARMINGTON BAY BUSINESS PARK, PLAT A, LOCATED AT APPROXIMATELY 1200 SOUTH/650 WEST STREET – BRAD PACK – (Agenda Item #8)

Glenn Symes gave a brief description of the proposed request and pointed out the site on the map. He explained that they would like to build an office warehouse.

Brad Pack said the building will be 20,000 square feet, and four tenants will purchase and then occupy the space. He said they have two thirds of the project pre-sold, as required by the bank funding the project, and they hope to begin construction in October.

Motion

Sid Young made a motion that the City Council approve the Vacation Ordinance. **Cory Ritz** seconded the motion, and Council members **Alder, Dutson, and Hale** approved by a roll call vote.

Rick Dutson made a motion that the City Council approve the minor subdivision and plat amendment to the Farmington Bay Business Park Plat A subdivision and further recommend approval of the Final Plat associated with the proposed subdivision with the following conditions:

1. The applicant submits and receives approval for a subdivision plat as per City Standard for the Farmington Bay Business Park Plat A Amended subdivision.
2. All required public improvements shall be installed in accordance with the provisions of Chapter 8 of Title 12 and the City's Construction Standards and Specifications.

David Hale seconded the motion, and Council Members **Alder, Ritz, and Young** approved by a roll call vote.

Findings for Approval

1. The amendment to the Farmington Bay Business Park Plat A is appropriate in order to create a building lot on which the previously approved Farmington Bay Office Warehouse project may be built.
2. The proposed subdivision is in compliance with all the standards set forth in the City's Zoning Ordinance.

MINUTE MOTION APPROVING SUMMARY ACTION LIST (Agenda Item #9)

- 8.1 **Ratify Construction Bond and Storm Water Bond Agreements previously signed by Mayor Harbertson.**
- 8.2 **Authorize the deposit of \$22,388.42 received from Davis County into Fund #43 to be used for work on fire access, gates, etc., through the Stevenson/Benchland irrigation properties.**

Motion

David Hale made a motion to approve the items on the Summary Action List. **Cory Ritz** seconded the motion, and it was approved by Council Members **Alder, Dutson, and Young**.

REVIEW OF STREET DEDICATION PLAT "STATION PARKWAY NORTH" - (Agenda Item #10)

There was a brief discussion regarding this item, and **Max Forbush** recommended a motion to authorize the **Mayor** to sign the plat once all the issues are met.

Motion

David Hale made a motion to authorize the **Mayor** to sign the dedication plat upon completion of all outstanding issues. **Cory Ritz** seconded the motion, and it was approved by Council Members **Alder, Dutson, and Young**.

FIRE RESPONSE MUTUAL AID AGREEMENT WITH HILL AIR FORCE BASE - (Agenda Item #11)

Mayor Harbertson said the City Attorney gave his approval of this Agreement.

Motion

Paula Alder made a motion that the City Council approve the Fire Response Mutual Aid Agreement with Hill Air Force Base. **Rick Dutson** seconded the motion, and it was approved by Council Members **Hale, Ritz, and Young**.

CONOCO ENCROACHMENT & REIMBURSEMENT AGREEMENT WITH RELATED MATTERS - (Agenda Item #12)

The **Mayor** said there were a few issues to resolve regarding this Agreement, but he was hopeful it would be ready for the Special City Council meeting on Tuesday, Sept. 22nd at 8:00 a.m.

Rick Dutson made a motion to table this item, **Paula Alder** seconded it, and it was approved by Council Members **Hale, Ritz, and Young**.

REPORT ON TRAIL CONSTRUCTION COMMITMENTS FOR FARMINGTON BAY TRAIL SYSTEM AS REQUESTED BY BOB HASENYAGER - (Agenda Item #13)

Mr. Forbush gave a brief background of this issue and said **Bob Hasenyager** previously requested that the City's Public Works Department assist in building the boardwalk in the Farmington Bay Bird Refuge area which connects to the south end of the Buffalo Ranch trail. He has now requested that the City haul 24 loads of crusher fines to place on the top of the trail instead of constructing the boardwalk. Public Works will haul the material, grade, roll and compact it. The City would pay for fuel costs to get it from North Salt Lake--including the use of City equipment and employees but would not pay for the material. **Mr. Forbush** said Davis County will be doing the road base, but he was unsure who would build the boardwalk. The Public Works Department has committed to finish this project by the end of the year.

Motion

David Hale made a motion that the City Council approve this change as requested. **Sid Young** seconded the motion, and it was approved by Council Members **Alder, Dutson, and Ritz**.

SELECTION OF PLAYGROUND EQUIPMENT FOR FARMINGTON RANCHES NEIGHBORHOOD PARK - (Agenda Item #14)

Neil Miller, of the City's Public Works Department, informed the Council that the National Playground Equipment convention would be held in Salt Lake City on October 13-16, 2009. He said the City's budget for playground equipment at the Farmington Ranches Neighborhood Park was \$60,000, and approximately \$25,000-26,000 can be saved if the equipment is purchased during the convention. He said both Game Time and Miracle produce high quality products. The Council reviewed the available options and decided that the Game Time, Option 2 was the best. **Steve Peterson** and **Anita Todd**, representing the Farmington Ranches HOA, gave their approval of the decision.

Motion

David Hale made a motion that the City Council authorize the Public Works Department to purchase the Game Time Option 2 playground equipment. **Paula Alder** seconded the motion, and it was approved by Council Members **Dutson, Ritz, and Young**.

Motion

Rick Dutson made a motion that the City Council approve the request for the Public Works Department to use \$6000 and install rock pillars at the Farmington Ranches Park. The motion was seconded by **Paula Alder**, and it was approved by Council Members **Hale, Ritz, and Young**.

GOVERNING BODY REPORTS - (Agenda Item #15)

Mayor Harbertson's Report

The **Mayor** said the recent Utah League Conference was one of the best he has attended. There were helpful workshops regarding changes in laws, impact fees, and recycling pros and cons. A highlight for him was the special recognition of **George Chipman** for his work with Farmington City Trails.

City Council Reports

Paula Alder reminded the Council of the Trails Committee meeting on Thursday, September 17 at 7:00 p.m.

Cory Ritz said he received a request for an additional crossing guard on the west side of Eagle Bay Elementary. He and **Officer Winkleman** looked at the street and believe there are enough students to warrant another crossing guard. **Mr. Forbush** said the City's transportation engineer is aware of the request and has sent the information to the Police Chief. His initial opinion is that it does not meet the standards.

Rick Dutson reviewed the following items:

Reminder for **Max Forbush** to contact the committee regarding the peninsula in the Northridge Road, Main Street and Mountain Road neighborhood.

Old Farm developers need to clean up their site—partially built signage columns, rusted rebar, and tall weeds in the landscape strip.

Utah League of Cities and Towns: \$33 million in stimulus money is available for cities to use on energy efficiency projects. He called the governor's office to see how Farmington might tap into some of that money and said two possibilities might be the new City Hall and upgrading Farmington's street lamps. State officials noted this money could not be used in either instance.

Sid Young said he attended several valuable workshops and discussed issues such as:

Retirement plans and protection of canals and billboards.

“Board of Adjustments” no longer appears in the state statute. It can be an individual (quite often a legal person).

The three situations which require public hearings are: (1) amending the general plan, (2) changing a zoning ordinance, and (3) changing a map

Simplifying the zoning process

MISCELLANEOUS ITEMS (Agenda Item #16)

Neil Miller reported that the City previously had two arts directors, but one of them left. Some of the duties have been reassigned to other staff, but **Mr. Miller** would like the City to offer a monthly stipend of \$800.00 to arts director **Sarah Hale** for her work (the stipend was previously \$500.00 per month).

Motion

Paula Alder made a motion that the City Council approve an increase from \$500 to \$800 for the monthly stipend for arts director **Sarah Hale**. **Cory Ritz** seconded the motion, and it was approved by Council Members **Dutson, Hale, and Young**.

Max Forbush reviewed the following four items:

1. The fence between the new City Hall and the neighbors to the south was bid as a chain-link fence; however, the neighbors oppose it—even if it has vinyl slats. They have requested that the City install a higher-quality fence.
2. **Toni Asay** has hired a contractor to cut down five large cottonwood trees behind her home, but she cannot afford to have them hauled away. The cost to cut the logs into 8-foot lengths would be \$600, and she asked if the City could pay this fee. **Max Forbush** reviewed the justification for City participation. The trees are on the Asay property. There is only one way to drop the trees and that is due north. The trees are cottonwood and will likely die within the next few years. If the City waits, damages to the fence and finished park lot would be severe. As a preventative measure it seems wise for the City to participate.
3. **Mr. Forbush** said there is a building lot on the corner of 200 South Main Street which will be affected by the south Main Street reconstruction project. He said it would be helpful if the property owner could install the utilities--sewer, water and pressure irrigation—prior to the beginning of the project, but he does not think there is a way to require the owner to do this. He asked **Walt Wokanson** to contact the property owner and work out a deal--the City could complete the work as soon as possible, and the owner could reimburse the City at a later time. This would allow the utilities to be installed before the reconstruction begins. The **Mayor** asked if it would be possible to put a lien on the property, and **Mr. Forbush** said he was not sure.

4. Twin Peaks Engineering has been working for Garbett Homes on the perimeter trails issue. There is a section of the trail--north of Shepard Lane--which will be located outside of the subdivision and will encroach onto UDOT's right-of-way. Because of that, an environmental assessment is required, and the cost of the study will be \$4,000-\$6000. Garbett Homes asked the City to pay the entire cost for the study; however, **Mr. Forbush** felt that was unfair, and he suggested the City pay half of the fee.

Following a brief discussion, the City Council gave their approval of the four items:

- a. Explore the possibility of upgrading the fence between the new City Hall and neighbors.
- b. Participate in the cost of tree removal from the City Hall south parking lot after they are dropped (up to \$600).
- c. City crews may be installing the service laterals on the Sulser property at 200 South Main Street.
- d. Authorize the City manager to spend up to \$3000 for environmental work on the perimeter trail in the Garbett Homes development near U.S. Highway 89.

ADJOURNMENT

Rick Dutson motioned to adjourn the meeting, **David Hale** seconded the motion, and Council Members **Alder**, **Ritz**, and **Young** voted in favor. The meeting ended at 8:40 p.m.

Margy Lomax, City Recorder
Farmington City